

## Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 AF-08 ARA-06 EA-07 EUR-12

NEA-10 ACDA-07 CIAE-00 DODE-00 PM-04 INR-07

NSAE-00 NASA-01 NSC-05 ERDA-05 OES-06 OIC-02

ERDE-00 SS-15 SP-02 PRS-01 /115 W

-----232004Z 061397 /47

P 231928Z MAR 77

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 2886

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E.O. 11652: N/A

TAGS: TSPA, UN, AORG

SUBJECT: OUTER SPACE LEGAL SUBCOMMITTEE: REMOTE SENSING

1. WORKING GROUP III (REMOTE SENSING) RESUMED CONSIDERATION MARCH 22 OF COMMON ELEMENTS FORMULATED LAST YEAR. SECRETARIAT DISTRIBUTED DRAFT TEXT OF PRINCIPLE VI ON UN ROLE TENTATIVELY AGREED TO YESTERDAY (TEXT POUCHED L/UNA: STOWE).

2. WITH REGARD TO COMMON ELEMENT ON IMPENDING NATURAL DISASTERS SET FORTH PARA. 7(B), ANNEX III OF 1976 LSC REPORT, AFTER CONSIDERABLE DISCUSSION CANADA PROPOSED FOLLOWING ALTERNATIVE TEXT: QUOTE: INFORMATION OBTAINED BY REMOTE SENSING OF (THE NATURAL RESOURCES OF THE EARTH) (AND ITS ENVIRONMENT) INDICATING AN IMPENDING NATURAL DISASTER SHALL BE DISSEMINATED AS PROMPTLY AS POSSIBLE TO THOSE STATES LIKELY TO BE AFFECTED. END QUOTE. ALTHOUGH WG-III INDICATED TENTATIVE APPROVAL OF THIS LANGUAGE, FURTHER CONSIDERATION WAS POSTPONED PENDING SECRETARIAT STUDY OF WHICH UN BODIES OR AGENCIES MIGHT PROPERLY BE UTILIZED IS DISSEMINATING SUCH INFORMATION.

3. ON COMMON ELEMENT (C), WHICH WOULD PRECLUDE  
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INTENTIONAL USE OF REMOTE SENSING DATA OR INFORMATION TO DETRIMENT OF OTHER STATES, USDEL INDICATED CONCERN OVER LACK OF CLARITY IN LANGUAGE AND ABSENCE OF OBJECTIVE CRITERIA FOR DETERMINING WHAT CONSTITUTES DETRIMENTAL USE. USSR RESPONDED CONTENTIOUSLY THAT THE MEANING COULD BE CLARIFIED BY ADDING LANGUAGE FROM 1974 FRANCE/USSR PROPOSAL, REQUIRING CLEARLY EXPRESSED PRIOR

CONSENT OF SENSED STATE TO DISSEMINATION OF INFORMATION AND DOCUMENTATION (SEE PARA. 5(2), A/AC.105/C.2/L.99). A LENGTHY DISCUSSION ENSUED, IN WHICH USDEL ARGUED STRENUOUSLY THAT FREE DISSEMINATION OF DATA PROVIDES BETTER PROTECTION THAN LIMITATIONS OR PROHIBITIONS ON DISSEMINATION, AS SHOWN BY EXPERIENCE WITH LANDSAT. A VARIETY OF ALTERNATIVE PROPOSALS WERE SUBSEQUENTLY TABLED BY AUSTRIA, ITALY, US, FRANCE AND ARGENTINA. IN VIEW OF THIS PROLIFERATION OF TEXTS, CHAIRMAN SUGGESTED WG-III SHOULD ADJOURN UNTIL TOMORROW, WITH INTERESTED DELEGATIONS TO CONTINUE DISCUSSION IN "MINI-GROUP" THIS AFTERNOON TO ATTEMPT A CONSOLIDATION OF DRAFTS FOR SUBMISSION TOMORROW.

4. AT ENSURING "MINI-GROUP," IT WAS DECIDED TO REFER FOLLOWING TEXTS (INCLUDING ADDITIONAL USSR VERSION) TO WG-III FOR FURTHER CONSIDERATION:

A) FRANCE: QUOTE: STATES (SHOULD) (SHALL) NOT CONDUCT REMOTE SENSING ACTIVITIES IN SUCH A MANNER THAT THEY ARE DETRIMENTAL TO OTHER STATES NOR UTILIZE THE RESULTS OF SUCH ACTIVITIES IN ANY MANNER TO THE DETRIMENT OF OTHER STATES. END QUOTE.

B) US: QUOTE: REMOTE SENSING DATA OBTAINED FROM OUTER SPACE ON (THE NATURAL RESOURCES OF THE EARTH) (AND ITS ENVIRONMENT), AND INFORMATION DERIVED THEREFROM, (SHALL) (SHOULD) BE USED FOR PURPOSES OF SCIENTIFIC RESEARCH, ECONOMIC DEVELOPMENT AND IMPROVEMENT OF THE QUALITY LIMITED OFFICIAL USE

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OF LIFE AND (SHALL) (SHOULD) BE USED IN A MANNER COMPATIBLE WITH THE NEED TO AVOID DETRIMENTAL EFFECTS ON OTHER STATES. END QUOTE.

C) USSR: QUOTE: REMOTE SENSING DATA OR INFORMATION DERIVED THEREFROM (SHALL) (SHOULD) BE USED BY STATES IN A MANNER COMPATIBLE WITH THEIR OBLIGATIONS UNDER INTERNATIONAL LAW TO AVOID ACTIVITIES DETRIMENTAL TO OTHER STATES. END QUOTE.

5. ALTHOUGH POSSIBILITY EXISTS THAT THIS ITEM MAY BE DROPPED, ANY COMMENTS ON THESE TEXTS MUST BE COMMUNICATED TO USDEL ASAP.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REMOTE SENSING, SPACE PROGRAMS  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
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**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Enclosure:** n/a  
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**Original Handling Restrictions:** n/a  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
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